

REMARKS

This is a response to the non-final Office Action dated November 8, 2004.

Claims 1, 4, 7, 16 and 19 are amended. No new matter is entered.

Claim 1 clarifies that the Internet-connectable appliance is used for programming the particular user's remote control device according to the downloaded data for controlling the particular user's consumer electronics equipment.

Claim 4 clarifies that the server updates a respective user profile responsive to a user notification to the server.

Claim 7 clarifies that a user profile is provided at a server responsive to user profile data sent by a remote control device, and the server uses the user profile data to obtain control data for programming the remote control device to control the consumer electronics equipment, and sends the control data to an Internet-connectable appliance. Additionally, the Internet-connectable appliance receives the control data from the server and programs the remote control device based on the received control data.

Claim 16 clarifies that downloading from a server to an appliance of data representative of at least one control code for control of a particular apparatus via the appliance is responsive to a connecting of the appliance to the server.

In response to paragraph 2 of the Office Action, claim 19 is amended to depend on claim 2, thereby providing an antecedent basis for "menu".

Claims 1-4 and 20-22 have been rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. patent 6,104,334 to Allport in view of U.S. patent 5,410,326 to Goldstein. Applicants respectfully traverse the rejections. Allport provides a portable Internet-enabled remote

controller for consumer devices. The remote control 10 may connect to the Internet or other data sources directly or by a home PC (col. 28, lines 51-52). An update system screen 65 allows the consumer to identify a new device or delete an old device from devices known to the remote control. To identify a new device, the IR command library for the device must be loaded into the memory of the remote control (col. 22, lines 10-25).

In contrast, Applicants' claim 1 sets forth that an Internet-connectable appliance connects to a server on the Internet in response to a user controlling a remote control device, where the server has an associated customer base comprising respective user profiles, each of the respective user profiles identifying consumer electronics equipment associated with a respective remote control device of a respective user. Allport simply provides no disclosure or suggestion of such a feature, and merely indicates that information including IR command libraries may be downloaded from the Internet or other data sources (col. 8, lines 46-51). In fact, Allport indicates that there can be uncertainty in identifying the proper IR command library, in which case different libraries must be loaded and tested repeatedly (col. 22, lines 25-32).

Applicants' invention avoids this problem by providing a server that has an associated customer base comprising respective user profiles, where each of the respective user profiles identify consumer electronics equipment associated with a respective remote control device of a respective user. Thus, the consumer electronics equipment is already identified and associated with a respective remote control device of a respective user through a respective user profile. In contrast, Allport provides no information for achieving this important feature.

The Examiner acknowledges that Allport fails to teach storing user information as claimed, but asserts that Goldstein cures the deficiencies of Allport. Goldstein is concerned with a programmable "universal" remote control device such as via a telephone line. In this case, the

consumer initiates a telephone call to a database that has infrared codes for operating appliances of different manufacturers. The consumer manually enters an equipment list for which codes are desired, and a data transfer is initiated. See col. 15, lines 21-68. However, there is no mention of the database storing the equipment list or a user profile as claimed. Regarding the subscribing mentioned at col. 16, lines 21-32, cited by the Examiner, this only refers to consumers subscribing to a service to receive IR codes, which indicates that the consumer pays a fee to receive the service. Again, this does not disclose or suggest that a customer base is provided with respective user profiles, each identifying consumer electronics equipment associated with a respective remote control device of a respective user.

Moreover, with Goldstein's approach, the consumer must manually enter the equipment list for which codes are desired. In contrast, with Applicants' invention, a particular user profile is selected at a server responsive to an Internet-connectable appliance connecting to the server. Furthermore, data representative of at least one control code for use with the particular user's consumer electronics equipment is downloaded from the server to the Internet-connectable appliance, responsive to the selecting at the server. The cited references do not disclose or suggest this automated approach.

Accordingly, claim 1 and the dependent claims thereof are patentable over the cited references.

For example, regarding claim 4, Allport similarly fails to disclose or suggest a user notifying a server through an Internet-connectable appliance of one or more items of consumer electronics equipment for which to download data representative of at least one control code, where the server is responsive to the notifying for updating the respective user profile of the particular user.

Claims 7-9 are similarly patentable over the cited references. For example, regarding claim 7, as discussed, the cited references fail to disclose or suggest maintaining a customer base comprising a plurality of user profiles that identify consumer electronics equipment as claimed, or the additional features recited.

Claims 11, 12 and 14-16 are also patentable over the cited references based on the above arguments.

Regarding claim 17, this claim refers to an Internet-connectable appliance having a look-up table that maps a first control code, received from a remote control device, onto a second control code for control of an apparatus via the appliance. Regarding the Examiner's assertion that Allport discloses correlation of control codes to a specific apparatus to be controlled, the claimed feature is still not rendered obvious since it refers to mapping a first control code onto a second control code for control of an apparatus, not mapping a first control code to an apparatus.

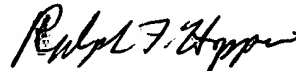
Claims 7-12, 14-19, 23 and 24 have been rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. patent 6,104,334 to Allport in view of U.S. patent 5,410,326 to Goldstein and U.S. patent 6,314,572 to LaRocca et al. LaRocca et al. are concerned with providing services via an interactive information distribution system such as a video-on-demand or subscription-on-demand system (col. 1, lines 19-24). A database includes a consumer profile relating to customer subscription information, such as the type of service, level of service, and premium channel subscription information (col. 5, lines 29-41). However, there is no teaching of maintaining a user profile for obtaining control data for programming consumer electronic equipment. Accordingly, the combination suggested by the Examiner can only be made using hindsight gained impermissibly from the present invention.

Regarding claim 18, this claim relates to a compilation of user profiles. For the reasons discussed above in connection with claim 1, the cited references do not disclose or suggest providing such a compilation.

Withdrawal of the rejections is therefore respectfully requested.

In view of the foregoing remarks, it is respectfully submitted that this application is in condition for allowance. Accordingly, it is respectfully requested that this application be allowed and a Notice of Allowance be issued. If the Examiner believes that a telephone conference with the Applicants' attorneys would be advantageous to the disposition of this case, the Examiner is requested to telephone the undersigned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Ralph F. Hoppin", written in a cursive style.

Ralph F. Hoppin
Registration No. 38,494

SCULLY, SCOTT, MURPHY & PRESSER
400 Garden City Plaza, Suite 300
Garden City, New York 11530
(516) 742-4343
TS:RFH/kd